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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,393	06/13/2001	Ajit S. Nagral	NGM-00102	8675

7590 10/30/2003

Patent Group
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EXAMINER

FILIPCZYK, MARCIN R

ART UNIT	PAPER NUMBER
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2171

10

DATE MAILED: 10/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Q.R.

Office Action Summary

Application No.

09/880,393

Applicant(s)

NAGRAL ET AL.

Examiner

Marc R Filipczyk

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2001 and 03 September 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-92 is/are pending in the application.
- 4a) Of the above claim(s) 1-50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51-92 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

This action is responsive to application filed on June 13, 2001 and pre-amendments received on 6/13/01 and 9/3/02 (paper numbers 7 and 8). Claims 1-50 have been cancelled and claims 51-92 are presented for examination.

Information Disclosure Statement

The information disclosure statements (IDS) received on 9/3/02, 12/2/02, 4/7/03 and 6/12/03 are noted by Examiner. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the Examiner. However, if Applicants desire to have all the documents initialed by Examiner, the Examiner requests a copy containing all the submitted documents as prior art.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 67, 68, 88 and 89 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 67 and 88, searching for instances in a reporting is indefinite by forming an ordered list.

Regarding claims 68 and 89, they depend from 67 and 88 respectively and therefore contain the deficiencies of those claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 51-61, 63-67, 69-82, 84-88 and 90-92 are rejected under 35 U.S.C. 102(e) as being anticipated by Draper et al, hereinafter Draper (U.S. Patent No. 5,924,096).

Regarding claim 51-53, 61, 72-74 and 82, Draper teaches viewing visual data associated with tags comprising: (fig. 2)

selecting a database containing a plurality of reports wherein each report includes visual data and associated tags; (fig. 3, items 202 and 204)

(Note: data with tag is a report)

opening the database; (fig. 3, items 202 and 204)

issuing a query to the database; (fig. 5, items 508 and 510)

providing a list of reports including visual data and associated tags corresponding to the query; (result of fig. 5)

selecting at least one report from the list; (fig. 6, items 602 and 604) and,

constructing a named temporary file for each metafile corresponding to the at least one report selected; (fig. 6, items 608 and 610, col. 8, lines 16-21)

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(Note: metafile consists of data of different formats) and,

Executing a previewer program which accesses a control file to view said visual data represented by metafile data included in said temporary memory (col. 4, lines 18-22 and computers, fig. 1, items 110 and 122).

(Note: internet uses protocols to display data)

Regarding claims 54-58, 63-66, 75-79 and 84-87, Draper discloses printing, sending, deleting, previewing, and replicating data and passwords by security/permission access (col. 5, lines 57-65).

Regarding claims 59, 60, 80 and 81, Draper discloses querying the selected database with filter parameters (fig. 5, items 512, 514, 516 and 518).

Regarding claims 69-71 and 90-92, Draper system discloses selecting a portion of the metafile for partitioning (col. 12, lines 5-17, Draper) and representing the metafile in a new metafile.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 62 and 83 are rejected under 35 U.S.C. 103(a) as being unpatentable over Draper et al, (U.S. Patent No. 5,924,096) in view of Vachey (U.S. Patent No. 5,630,120).

Regarding claims 62 and 83, Draper discloses all the subject matter as discussed above including querying a database and displaying data with associated tags (fig. 1, Draper), but does not expressly teach an interface scrolling through a list of records. However, Examiner points out that selecting a record from a list that resulted from querying a database was common practice in querying systems at the time the invention was made. One example of such a system is Vachey. Vachey teaches optimizing a query from a relational database where a query scroller is used (fig. 2B, Vachey). Hence, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to have used a scroller in Draper system by modifying Draper's query interface according to Vachey's interface. One would have been motivated to use a scroller in Draper in order to keep track of all the hits that resulted from querying the database.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc R Filipczyk whose telephone number is 703-305-7156. The examiner can normally be reached on Mon-Fri, 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MF

October 27, 2003



SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100